

REMARKS

Claims 1-11 are pending in this application. By this amendment, the specification and claims 1-3 are amended. No new matter is added by these amendments. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

In reply to the May 21, 2007 Election of Species Requirement, Applicant provisionally elected Species I, Figures 2A-2F. Applicant submits that claims 1 and 3-11 still read on elected Species I. As discussed below for the 35 U.S.C. §103(a) rejections, Applicant respectfully maintains that the Office Action has failed to establish each and every common element disclosed in each of the species is known in the prior art. Therefore, Applicant respectfully submits that lack of unity of invention has not been established, and thus the Election of Species Requirement should be withdrawn.

The Office Action rejects claims 1 and 5-7 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2003/0112220 to Yang et al. (hereinafter "Yang") in view of U.S. Patent No. 5,013,128 to Stern et al. (hereinafter "Stern"). The rejection is respectfully traversed.

Claim 1 calls for a pen-shaped optical mouse comprising: a image guide bundle optical fiber for guiding an image passing through the condenser lens and an imaging unit for receiving the light emerging from the image guide bundle optical fiber, thereby forming the image. The Office Action, on page 3, admits that Yang fails to disclose the use of an optical fiber to guide light. Stern fails to disclose these features as well, because Stern fails to discuss a bundle of optical fiber capable of guiding images rather than simply light.

The Office Action, on page 4, states that Stern teaches a fiber optic light guide 10 with a bundle of suitable flexible optic fibers 12, at Stern's Fig. 1. However, col. 1, lines 20-24, discloses that the purpose of Stern's invention is to improve the efficiency in delivered light.

There is no disclosure within Stern that the fiber optic light guide 10 would be capable of guiding an image. The use disclosed by Stern for the fiber optic light guide 10 is not adapted for guiding images, and when combined with the pen type optical mouse of Yang, the image formed on the image sensor would be blurred because Stern's fiber optic light guide is not adapted for guiding images. Therefore, it would not have been obvious to one of ordinary skill in the art at the time of the invention was made, to combine and incorporate the fiber optics of Stern with the alleged pen type optical mouse of Yang. The resulting device would have not been capable of transmitting an image, as called for in claim 1.

Accordingly, Applicant respectfully requests that the rejection be withdrawn.

The Office Action rejects claim 4 under 35 U.S.C. §103(a) over Yang in view of Stern, and further in view of U.S. Patent No. 6,151,015 to Badyal et al. (hereinafter "Badyal"); and rejects claims 8-11 under 35 U.S.C. §103(a) over Yang in view of Stern, and further in view of U.S. Patent No. 5,963,195 to Gregg et al. (hereinafter "Gregg"). The rejections are respectfully traversed.

Neither of the remaining applied references overcomes the deficiencies of Yang and Stern as applied to claim 1.

Accordingly, Applicant respectfully requests that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Rodney H. Rothwell, Jr.
Registration No. 60,728

JAO:RHR

Attachment:
Petition for Extension of Time

Date: November 16, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
